

**PUBLIC CHAPTER NO. 1002**

**HOUSE BILL NO. 3640**

**By Representative Phillip Johnson**

**Substituted for: Senate Bill No. 3603**

**By Senator Tracy**

AN ACT to amend Tennessee Code Annotated, Title 49, Chapters 1 through 6, relative to student residency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-3112(a)(1), is amended by adding the following language to the end of the present language:

Eligibility to attend school in the county other than the county in which the family resides or the farm is taxed shall be based on local board of education policy and availability of space in the county school system as determined by the director of schools in such system and shall be subject to payment of tuition pursuant to § 49-6-3003(b) to the same extent permitted for pupils not residing in that county.

SECTION 2. Tennessee Code Annotated, Section 49-6-3112(c), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(c) Whenever county boundary lines cross through a parcel of property, the children of the families residing on such property shall be eligible to attend either county's school system. Eligibility to attend school in the county other than the county in which the family resides or the residence is taxed shall be based on local board of education policy and availability of space in the county school system as determined by the director of schools in such system and shall be subject to payment of tuition pursuant to § 49-6-3003(b) to the same extent permitted for pupils not residing in that county. An LEA shall not be required to provide transportation to such children outside of the boundaries of that LEA.

SECTION 3. This act shall take effect July 1, 2008, the public welfare requiring it.

**PASSED: May 7, 2008**



JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES



RON RAMSEY, SPEAKER  
SENATE OF THE SENATE

**APPROVED this 21st day of May 2008**



PHIL BREDESEN, GOVERNOR